IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH,

AT HYDERABAD

**HONOURABLE SMT. JUSTICE T. MEENA KUMARI**

**AND**

**HONOURABLE MR. JUSTICE K.C. BHANU**

WRIT PETITION NO. 4176 OF 2006

Date:07.03.2006

BETWEEN:

Pawan Sharma

…. PETITIONER

And

1. The Station House Officer, Mahankali Police Station, Mahankali, Secunderabad, and others.

…. RESPONDENTS

**HONOURABLE SMT. JUSTICE T. MEENA KUMARI**

**AND**

**HONOURABLE MR. JUSTICE K.C. BHANU**

**WRIT PETITION NO. 4176 OF 2006**

**ORAL ORDER**: (Per TMK,J.)

This writ petition is taken up on the basis of the Fax Message dated

01.03.2006, sent by the petitioner for issuance of Writ of Habeas Corpus directing the Respondents herein to produce the brother of the petitioner herein, namely, Mr. Sanjay Sharma before this Court, who was illegally detained by the Police, Mahankali Police Station since 21.00 hours of 28.02.2006.

A counter affidavit has been filed by the respondents denying all the allegations stating that the alleged detenu is not arrayed as an accused in any case, pending with their Police Station. In fact the alleged detenu is the complainant in Cr.No.43 of 2006 for the offence under Sections 394 and 363 read with Section 511 IPC and Section 27(2) of Arms Act. The alleged detenu is freely moving and attending his day-to-day business activities. While the investigation was under progress, on 2.3.2006, A.3 was apprehended along with crime vehicle and on enquiry he confessed to have committed the above said offence along with accused Nos.1 to 7. he further confessed that his friend A.1 invested Rs.35,000/- on his internet center on the advice given by Madan and Sayeed, who are the close associates of the complainant that they would get dollars through illegal operation of Internet banking. But they could not get profits and sustained loss. Thereby A.1 bore grudge against the complainant and abducted him. Thereafter on 3.3.2006 A.3 was produced before the learned XI Additional Chief Metropolitan Magistrate, Secunderabad. It is further stated that according to the confessional statement there are several doubts with regard to the relationship of the complainant and A.1 pertaining to the illegal Internet banking transactions and the police are conducting investigation in that angle. However, so far no material was found to establish the involvement of the alleged detenu in the above transactions, he was not detained either on 28.2.2006 or on any other subsequent date.

In view of the averments made in the counter affidavit, no further orders are necessary in this writ petition. Accordingly, the Writ Petition is dismissed at the admission stage.

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**(T. MEENA KUMARI, J.)**

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**(K.C. BHANU, J.)**

7th March, 2006

Js.